

Cerys Jones

From: Sharon Holman
Sent: 30 September 2021 09:05
To: planning_admin
Subject: FW: FW: RE: P/2021/0683 - 2 ELM POINT ABBEY ROAD NORTH WREXHAM INDUSTRIAL ESTATE (Minor) - NRW Response NRW:07740977

Importance: High

Civ - nrw resp

From: North Planning <NorthPlanning@cyfoethnaturiolcymru.gov.uk>
Sent: 30 September 2021 08:18 AM
To: Lee Greenhough <leegreenhough@tep.uk.com>
Cc: Sharon Holman <Sharon.Holman@wrexham.gov.uk>; Emma Broad <Emma.Broad@wrexham.gov.uk>; Ellis, Matthew <Matthew.Ellis@cyfoethnaturiolcymru.gov.uk>
Subject: RE: FW: RE: P/2021/0683 - 2 ELM POINT ABBEY ROAD NORTH WREXHAM INDUSTRIAL ESTATE (Minor) - NRW Response NRW:07740977
Importance: High

Dear Lee,

Thank you for your email dated 17/09/21 in response to our recent advice to the LPA regarding this planning application.

Please see our responses to your recent comments in the table below.

We would be happy to attend a Teams meeting with you to discuss the points that you have raised, but we would request that the planning officer and ecologist from Wrexham CBC are also invited to the meeting (both copied into this email), since the LPA are the decision makers for the planning application.

I would be grateful if you could please send available dates and times to us (via our North Planning inbox) and the Wrexham CBC officers, but please note that I will be on leave from 1st to 8th October.

No	NRW Comment	TEP Response	NRW Further Response
1	(a) Insufficient information to demonstrate the proposal satisfies a valid derogation or European protected species licensing purpose	Why ? We have spoken to your species officer and identified further enhancement to support GCN	We acknowledge that a meeting was held with our species officer. However, we did not discuss derogation criteria; <i>i.e.</i> derogation purpose and no satisfactory alternative test, during the meeting. We consider that the

			current proposal is not satisfactory for the purposes of demonstrating no detriment to the maintenance of the favourable conservation status of GCN. If the application is to be progressed, we advise that an updated scheme is submitted.
2	(b) Insufficient information to demonstrate why there is no satisfactory alternative to the proposal; and	Extension will better approve operational facilitate and H&S	Evidence to justify this should be provided together with evidence of why there is no satisfactory alternative.
3	(c) Insufficient information to demonstrate the proposal is not likely to be detrimental to the maintenance of the favourable conservation status of the local population of great crested newts.	We proposed trapping and searching and prevention of GCN entering works during construction 2 weeks	Our concerns relate to the detail of compensatory proposals, either on site or off site.
4	(i) Plans illustrating the original extent of the ecology area together with previous and proposed encroachments into this dedicated area.	Issued	This submission is welcomed.
5	(ii) Cumulative impact assessment of encroachments into the dedicated ecology area.	?	We advise that a review of the cumulative encroachment into the dedicated ecology area is required.
6	(iv) Proposals, including any proposed changes of tenure, that demonstrate the remaining dedicated ecology area will not be subject to further	All below can be addressed	We look forward to receipt of the updated proposals. It is suggested that a long-term Management Agreement under Section 39 of the Wildlife and Countryside Act 1981 (as

encroachment. (v) An updated management plan that includes provisions concerning long-term management, to include: • Defined aims and objectives (for each identified ecological feature) • Management prescriptions for each identified ecology feature • Contingency prescriptions if adverse factors such as invasive non-native species colonize the site • Skills, competencies and licensing requirements for habitat management and surveillance. • Long-term annual surveillance with results uploaded to the Wales Monitoring database • Tenure and any proposed changes to tenure • Proposals that regulators can utilize in the event of lack of inappropriate actions being carried out on site • Resource provision • If ownership is retained, what happens in the event of the applicant ceasing trading, including commercial takeover or insolvency		amended) is entered into with the LPA, subject to their agreement. This could potentially form an underpinning mechanism to address a range of outstanding material issues.
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Kind regards
Rhys Jones

----- Original Message -----

From: Lee Greenhough <leegreenhough@tep.uk.com>;

Received: Fri Sep 17 2021 13:47:09 GMT+0100 (British Summer Time)

To: North planning <northplanning@cyfoethnaturiolcymru.gov.uk>; North Planning Mailbox Queue <northplanning@cyfoethnaturiolcymru.gov.uk>; North Planning <northplanning@cyfoethnaturiolcymru.gov.uk>;

Cc: John Crowder <johncrowder@tep.uk.com>; ChrisDavies@caulmert.com;

Subject: RE: P/2021/0683 - 2 ELM POINT ABBEY ROAD NORTH WREXHAM INDUSTRIAL ESTATE (Minor) - NRW
Response NRW:07740977

Hi Rhys

I have made some notes below. However following on from our meeting with Matt Ellis, whom we discuss the proposals with and what would be required the extra mitigation was included.

Just to confirm the loss of habitat for the proposed extension to the service yard measures approximately 0.1ha.

Would it be possible to arrange a Teams Meeting to go through your points below .

Fully aware of licence issued under previously and is still active

Aware that this is the 2nd encroachment we have explained this to the client

Aware of the importance of Wrexham Industrial Estate for GCN

Aware of resting, no evidence at site of breeding but resting however previous trapping has recording no GCN

We will amend existing licence

In our view, the current planning application has provided:

(a) Insufficient information to demonstrate the proposal satisfies a valid derogation or European protected species licensing purpose. Why ? We have spoken to your species officer and identified further enhancement to support GCN

(b) Insufficient information to demonstrate why there is no satisfactory alternative to the proposal; and Extension will better approve operational facilitate and H&S

(c) Insufficient information to demonstrate the proposal is not likely to be detrimental to the maintenance of the favourable conservation status of the local population of great crested newts. We proposed trapping and searching and prevention of GCN entering works during construction 2 weeks

In respect of (c), we advise an appropriate submission includes but is not limited to

(i) Plans illustrating the original extent of the ecology area together with previous and proposed encroachments into this dedicated area. Issued

(ii) Cumulative impact assessment of encroachments into the dedicated ecology area. ?

(iii) Ecological mitigation and compensation to ameliorate the cumulative loss of extent of habitats within the dedicated ecology area. In our view, recommendations articulated in Paragraphs 5.7- 5.12 of the Ecology Assessment are not satisfactory for the purposes of justifying a reduction in the extent of a dedicated GCN compensation area.

All below can be addressed

(iv) Proposals, including any proposed changes of tenure, that demonstrate the remaining dedicated ecology area will not be subject to further encroachment.

(v) An updated management plan that includes provisions concerning long-term management, to include:

- Defined aims and objectives (for each identified ecological feature)
- Management prescriptions for each identified ecology feature
- Contingency prescriptions if adverse factors such as invasive non-native species colonize the site

- Skills, competencies and licensing requirements for habitat management and surveillance.
- Long-term annual surveillance with results uploaded to the Wales Monitoring database
- Tenure and any proposed changes to tenure
- Proposals that regulators can utilize in the event of lack of inappropriate actions being carried out on site
- Resource provision
- If ownership is retained, what happens in the event of the applicant ceasing trading, including commercial takeover or insolvency

Regards
Lee Greenhough
Principal Ecologist

01925 844044 (Direct Dial)
07918 741083 (Mobile)



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From: Sharon Holman <Sharon.Holman@wrexham.gov.uk>

Sent: 13 September 2021 08:01

To: Jenny Coxon <jennycoxon@caulmert.com>

Subject: P/2021/0683 - 2 ELM POINT ABBEY ROAD NORTH WREXHAM INDUSTRIAL ESTATE (Minor) - NRW Response
NRW:07740977

Dear Jenny,

Please find attached NRW consultation response. Please submit the additional information, as requested within the response, within 14 days of the date of this email.

Please also confirm that you agree to an extension to the statutory deadline for the determination of this until Friday 15 October 2021. Alternatively, the application should be formally withdrawn.

Kind regards

Sharon

Sharon Holman

Swyddog Cynllunio Rheoli Datblygu / Development Control Planning Officer
Cynllunio a Rheoleiddio / Planning and Regulatory



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We welcome correspondence in Welsh. We will respond to any correspondence in Welsh and this will not lead to any delay.

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